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**V. RECEIVING WATERS:**

The discharge is into unnamed parish drainage, thence into Blood River, thence into the Tickfaw River in segment 040502 of the Lake Ponchartrain Basin. This segment is listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 040502 of the Lake Ponchartrain Basin are as indicated in the table below<sup>1/</sup>:

Overall Degree of Support for Segment 040502	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Partial	Full	Full	Not Supported	N/A	N/A	N/A	N/A

<sup>1/</sup>The designated uses and degree of support for Segment 040502 of the Lake Ponchartrain Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

Section 303 (d) of the Clean Water Act, as amended by the Water Quality Act of 1987 and EPA's regulations at 40 CFR 130, require that each state identify those waters within its boundaries not meeting water quality standards. The Clean Water Act further requires states to implement plans to address impairments. LDEQ is developing Total Maximum Daily Loadings Studies (TMDLs) to address impaired waterbodies. Segment 040502 of the Lake Pontchartrain Basin is on the 2006 Integrated 303(d) List of Impaired Waterbodies. The suspected causes of impairment are mercury, chlorides, sulfates, and total dissolved solids. To date no TMDLs have been completed for this waterbody. A reopener clause has been included in the permit should the TMDLs require effluent limitations be placed in the permit. Suspected causes of concern are addressed in a manner consistent with the Department's permitting guidance for implementing Louisiana's surface water quality standards as follows:

**Mercury**

The named waterbody in segment in 040502, the Tickfaw River, is impaired for mercury. The source of mercury has been identified as atmospheric deposition. However, sometimes commercial users can contribute mercury to effluent discharges from wastewater treatment plants depending on their business operations. A review of the application indicates no commercial users that would contribute to the receiving waterbody's mercury impairment. In addition the discharge is into Blood River, a tributary of the Tickfaw River. For these reasons, no limit or mercury prevention program plan has been included in the draft permit. Should the TMDL for mercury determine a mercury effluent limitation is necessary, a reopener clause has been included in the draft permit.

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**Chlorides, sulfates, and TDS**

Chlorides, sulfates, and TDS are suspected causes of impairments. According to the 305(b) Water Quality Inventory, these impairments are attributed to land development and site clearing. However, sanitary treatment plants can contribute to these impairments as well. Thus, reporting and monitoring requirements for chlorides, sulfates, and TDS have been included in the permit. A TMDL will determine if effluent limitations are required of sanitary wastewater treatment plants. (The Facility should be aware they will have the opportunity to comment on the any draft TMDL for these parameters in this subsegment.) If effluents limits are required by a TMDL, the Facility will know their ability to meet the limits based on monitoring results and have data to support their position should they submit comments to the draft TMDL.

**VI. ENDANGERED SPECIES:**

The receiving waterbody, Subsegment 040502 of the Lake Ponchartrain Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the *Gulf Sturgeon*, which is listed as a threatened/endangered species. This draft permit has been sent to the FWS for review. As set forth in the Memorandum of Understanding between the LDEQ and the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse affect upon the *Gulf Sturgeon* since effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

**VII. HISTORIC SITES:**

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

**VIII. PUBLIC NOTICE:**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation  
Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mrs. Angela Marse  
Water Permits Division  
Department of Environmental Quality  
Office of Environmental Services  
P. O. Box 4313  
Baton Rouge, Louisiana 70821-4313

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**IX. PROPOSED PERMIT LIMITS:****Final Effluent Limits:****OUTFALL 001**

Final effluent limits are based on the previous permit and receiving waterbody impairments as indicated on the 2006 303(d) List. The previous permit had monitoring and reporting requirements for phosphorus and total kjeldahl nitrogen based on receiving stream impairments from the 2004 303(d) List. The receiving stream is not impaired for total nitrogen or phosphorus. Therefore, the monitoring and reporting requirements for these parameters have been removed from the permit.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg	Weekly Avg	Basis
BOD <sub>5</sub>	15	10 mg/l	15 mg/l	Limits are set in accordance with the Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of this treatment type and size.
TSS	22	15 mg/l	23 mg/l	Since there is no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility.
Chlorides	N/A	Report mg/l	Report mg/l	Best professional judgement based on receiving stream impairments.
Sulfates	N/A	Report mg/l	Report mg/l	Best professional judgement based on receiving stream impairments.
Total Dissolved Solids	N/A	Report mg/l	Report mg/l	Best professional judgement based on receiving stream impairments.

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**Other Effluent Limitations:****1) Fecal Coliform**

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5., the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Maximum) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

**2) pH**

According to LAC 33:IX.3705.A.1., POTW's must treat to at least secondary levels. Therefore, in accordance with LAC 33:IX.5905.C., the pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time.

**3) Solids and Foam**

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

**X. PREVIOUS PERMITS:**

LPDES Permit No. LA0117650: Issued: March 1, 2004  
Expired: February 28, 2009

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Monthly Avg.</u>	<u>Weekly Avg.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	Continuous	Recorder
BOD <sub>5</sub>	10 mg/l	15 mg/l	2/month	Grab
TSS	15 mg/l	23 mg/l	2/month	Grab
Total Kjeldahl Nitrogen	Report mg/l	Report mg/l	1/quarter	Grab
Phosphorus	Report mg/l	Report mg/l	1/quarter	Grab
Fecal Coliform Colonies	200	400	2/month	Grab

The permit contains pretreatment language.

The permit contains pollution prevention language.

**XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:****A) Inspections**

A review of the files indicates no inspections have been performed for this facility.

**B) Compliance and/or Administrative Orders**

A review of the files indicates no enforcement actions administered against this facility.

**C) DMR Review**

This is a newly constructed facility. No DMRs have been submitted.

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**XII. ADDITIONAL INFORMATION:**

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's. The LDEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

In accordance with LAC 33:IX.2903., this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

- a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- b) Controls any pollutant not limited in the permit; or
- c) Requires reassessment due to change in 303(d) status of waterbody; or
- d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

Final effluent loadings (i.e. lbs/day) have been established based upon the permit limit concentrations and the design capacity of 0.175 MGD.

Effluent loadings are calculated using the following example:

$$\text{BOD: } 8.34 \text{ lb/gal} \times 0.175 \text{ MGD} \times 10 \text{ mg/l} = 15 \text{ lb/day}$$

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit are standard for facilities of flows between 0.1 and 0.5 MGD.

**Pretreatment Requirements**

Based upon consultation with LDEQ pretreatment personnel, standard pretreatment language has been included in the permit.

**Pollution Prevention Requirements**

The permittee shall institute or continue programs directed towards pollution prevention. The permittee shall institute or continue programs to improve the operating efficiency and extend the useful life of the facility. The permittee will complete an annual Environmental Audit Report **each year** for the life of this permit according to the schedule below. The permittee will accomplish this requirement by completing an Environmental Audit Form which has been attached to the permit. All other requirements of the Municipal Wastewater Pollution Prevention Program are contained in Part II of the permit.

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The audit evaluation period is as follows:

Audit Period Begins	Audit Period Ends	Audit Report Completion Date
Effective Date of Permit	12 Months from Audit Period Beginning Date	3 Months from Audit Period Ending Date

**XIII. TENTATIVE DETERMINATION:**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue permit for the discharge described in this Statement of Basis.

**XIV. REFERENCES:**

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 2006.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2008.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2008.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Livingston Parish Council, Warsaw Landing & Blood River Landing, August 12, 2008.